

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Open Invention Network, LLC

Application No./Patent No.: 7334014 Filed/Issue Date: 01/02/2004

Titled: CONSISTENT TIME SERVICE FOR FAULT-TOLERANT DISTRIBUTED SYSTEMS

Open Invention Network, LLC a Company
states that it is:

1. the assignee of the entire right, title, and interest in:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____ Frame _____, or for which a copy therefore is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: LOUISE E. MOSER, PETER M. MELLAR-SMITH, WENBING ZHAO To: ETERNAL SYSTEMS, INC.

The document was recorded in the United States Patent and Trademark Office at
Reel 015433, Frame 0458 or for which a copy thereof is attached.

2. From: ETERNAL SYSTEMS, INC. To: AVAILIGENT, INC.

The document was recorded in the United States Patent and Trademark Office at
Reel 021912, Frame 0588 or for which a copy thereof is attached.

3. From: AVAILIGENT, INC. To: OPEN INVENTION NETWORK LLC

The document was recorded in the United States Patent and Trademark Office at
Reel 021691, Frame 0974, or for which a copy thereof is attached.



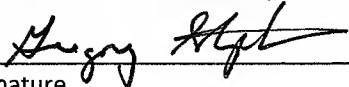
Additional documents in the chain of title are listed on a supplemental sheet(s).



As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (*i.e.*, a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

8.3.9

Date

Gregory Stephens

Printed or Typed Name

Patent Attorney (41329)

Title